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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Kim Boliba,

Plaintiff,

vs.

Camping World, Inc.; Camping World RV Sales,
LLC; Wheeler Las Vegas RV dba Camping World
RV Sales; Winnebago Industries, Inc.; Does 1-10;
Roes 1-10,

Defendants.

Case No.: 2:14-cv-1840-JAD-NJK

**Order Granting
Motion to Dismiss in Part
[#20]**

For the reasons stated on the record during the May 11, 2015, hearing on Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint¹ under FRCP 12(b)(6) and 9(b), and good cause appearing, I find that, despite opportunity to amend with court guidance on the deficiencies of the claims, plaintiff still has not stated plausible claims against all defendants. Accordingly, IT IS HEREBY ORDERED THAT the motion to dismiss [Doc. 20] is **GRANTED in part and DENIED in part**:

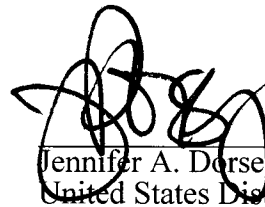
1. All claims against Defendant Camping World RV Sales, LLC, are DISMISSED;
2. Additionally, plaintiff's:
 - First Cause of Action (Breach of Contract) is DISMISSED against Winnebago Industries, Inc.;
 - Second Cause of Action (Deceptive Trade Practices-NRS 598.0915) is DISMISSED against Camping World, Inc.;
 - Third Cause of Action (Breach of Express Warranties) is DISMISSED against Camping World, Inc.;
 - Fourth Cause of Action (Breach of Implied Warranties) is DISMISSED against Camping World, Inc.;

¹ Doc. 18.

- 1 • Fifth Cause of Action (Breach of Implied Covenant of Good Faith and Fair Dealing)
2 is DISMISSED against Winnebago Industries, Inc., and against all defendants to the
3 extent it is not based on the implied covenant of good faith and fair dealing in a
4 contract with plaintiff;
- 5 • Sixth Cause of Action (Violation of Nevada's Lemon Law, NRS 597.600 et seq.) is
6 DISMISSED against Camping World, Inc.; and
- 7 • Eighth Cause of Action (Fraud) is DISMISSED against Camping World, Inc. and
8 Winnebago Industries, Inc.

9 The motion is denied in all other respects.

10 DATED May 11, 2015.

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13 Jennifer A. Dorsey
United States District Judge